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**REMARKS/ARGUMENTS****Claims 21, 23, and 34-39 Stand Objected To Because of Informalities**

Applicants would like to thank the Examiner for identifying these informalities. All of which have been corrected as suggested by the Examiner.

**Claims 1-39 Stand Rejected Under 35 U.S.C. 102 As Being Anticipated By *Mallory et al.* U.S. 6,988,262****Independent Claim 1**

It is respectfully submitted that U.S. Pat. No. 6,988,262 ("*Mallory*") fails to anticipate the claims as presently amended. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); *see also* MPEP §2131. Simply put, *Mallory* does not teach updating a phase parameter.

It is respectfully submitted that *Mallory* fails to disclose each and every element set forth in the independent claims as presently amended. For example, claim 1 requires "logic to update the phase parameter value that identifies the first sub-procedure to a phase parameter value that identifies the second sub-procedure[.]" Applicant respectfully submits that nowhere does cited portion of *Mallory* disclose logic to update the phase parameter. The Examiner identified column 8 lines 3-6 as disclosing phase parameters identifying one of a plurality of sub-procedures. *Office Action* dated Nov. 2, 2006 at p. 3. The cited portion of *Mallory* states, "In one embodiment . . . this is accomplished by passing an additional parameter to procedure ExamineContext to indicate the subroutine call of interest," *Mallory*, col. 8, lines 3-6. Assuming *arguendo* that this subroutine parameter is a phase parameter, nowhere in the cited disclosures are these subroutine parameters updated.

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The Examiner cited column 8, lines 19-28 of *Mallory* for providing logic to update the phase parameter. *Office Action* dated Nov. 2, 2006 at p. 3. Although this section discloses updating a parameter, this parameter is not a phase parameter. The cited portion of *Mallory* is column 8, lines 19-28 is reproduced below.

As stated above, procedure ProcessBreakEvent prompts the user to enter a break event or break events pertaining to code module 105. Once the user enters a break event to be set or removed, execution interface procedure UpdateBreakEvent is called, as indicated by arrow 152, and receives information indicating the break event to be set or removed as a passed parameter. Procedure UpdateBreakEvent is executed to call execution engine procedure Set/RemoveBreakEvent (indicated by arrow 156), indicating the break event to set or remove in an input parameter.

This section discloses "updating" the break event parameter, i.e. inserting a break or removing a break. This "break event" parameter is not the same parameter earlier identified by the Examiner as allegedly a phase parameter. That parameter was the parameter passed to the "ExamineContext to indicate the subroutine call of interest." Thus, even if *Mallory* disclosed "updating" the break event parameter, this is not updating the parameter that is passed to the "ExaminContext" routine. Moreover, "updating" a break event parameter by removing the break event would eliminate any alleged "sub-procedure," and therefore, there would be no sub-procedure to identify. As a result, *Mallory* fails to disclose updating a phase parameter. Thus, *Mallory* fails to teach each and every element of independent claim 1, and Applicant's respectfully submit that independent claim 1 and the claims that depend therefrom are presently in condition for allowance.

In addition, the claimed phase parameter is used to structure a procedure whereby upon returning control from an external function, the control is passed to the correct sub-procedure for processing, for example, the second sub-procedure, as in claim 1. *Mallory* does not disclose such a parameter related to passing of control upon a return from an external function. Thus, *Mallory* fails to disclose such a phase parameter.

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**Independent Claim 8**

Similarly, independent claim 8 has been amended to require "identifying a first sub-procedure by a first value of a phase parameter, identifying a second sub-procedure by a second value of a phase parameter, . . . [and] changing the first value of the phase parameter to the second value of the phase parameter[.]" For the reasons stated more fully above, Mallory fails to teach changing the first value of the phase parameter to a second value of the phase parameter. As a result, Mallory fails to teach each and every element of independent claim 8, and Applicants respectfully submit that independent claim 8 and the claims that depend therefrom are presently in condition for allowance.

**Independent Claim 16**

Similarly, independent claim 16 requires logic to update the phase parameter. For the reasons stated above, Mallory fails to teach updating of the phase parameter. As a result, Mallory fails to teach at least this element of independent claim 16, and Applicant's respectfully submit that independent claim 16 and the claims that depend therefrom are presently in condition for allowance.

**Independent Claim 21**

Similarly, independent claim 21 has been amended to require "instructions to update the first value of the phase parameter to a second value of the phase parameter indicative of the first sub-procedure having been executed[.]" As discussed in detail above, the cited reference fails to teach each and every limitation. As a result, Mallory fails to anticipate independent claim 21, and Applicant's respectfully submit that independent claim 21 and the claims that depend therefrom are presently in condition for allowance.

**Independent Claim 29**

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Similarly, independent claim 29 has been amended to require "instructions for inserting logic to update the phase parameter to identify the second sub-procedure of the procedure[.]" Again, as discussed in detail above, the cited reference fails to teach each and every limitation. As a result, Mallory fails to anticipate independent claim 29, and Applicants respectfully submit that independent claim 29 and the claims that depend therefrom are presently in condition for allowance.

### **Independent Claim 31**

Similarly, independent claim 31 has been amended to require "instructions for updating the phase parameter to reflect that the first sub-procedure has been executed." For the similar reasons to those stated above, Mallory fails to teach updating the identifier of the first sub-procedure to identify a second sub-procedure. As a result, Mallory fails to teach each and every element of independent claim 31, and Applicants respectfully submit that independent claim 31 and the claims that depend therefrom are presently in condition for allowance.

### **Independent Claim 33**

Finally, independent claim 33 has been amended to require ""means for updating the identifier of the first sub-procedure to identify a second sub-procedure[.]" For at least the reasons stated above, Mallory fails to teach updating the identifier of the first sub-procedure to identify a second sub-procedure. As a result, Mallory fails to teach each and every element of independent claim 33, and Applicants respectfully submit that independent claim 33 and the claims that depend therefrom are presently in condition for allowance.

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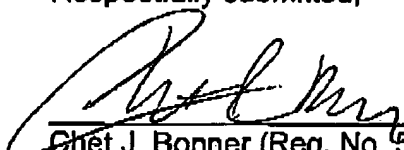
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**Conclusion**

Based on the foregoing amendments and remarks, the Applicants believe that all of the claims in this case are now in a condition for allowance and an indication to that effect is earnestly solicited. Furthermore, if the Examiner believes that additional discussions or information might advance the prosecution of this case, the Examiner is requested to contact the undersigned at the telephone number indicated below.

Respectfully submitted,



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